IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 24TH OCTOBER 2007 / 2ND KARTHIKA 1929

Bail Appl..No. 6497 of 2007

(CRIME NO. 257/2007 OF KADUTHURUTHY POLICE STATION)

PETITIONER/ACCUSED

SUDHEESH T.K., S/O. KUNJAPPAN,
THYPARAMBIL HOUSE, ARUNOOTIMANGALAM, MULAKULAM,
VAIKOM.

BY ADV. SRI.DILIP MOHAN

RESPONDENTS: STATE

1. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. STATION HOUSE OFFICER,
KADUTHURUTHY POLICE STATION.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.6497 of 2007

Dated this the 24th day of October 2007

O R D E R

Application for anticipatory bail. The petitioner is the fourth accused. Altogether there are six accused persons. Accused 1 and 3 have come to this court for issue of directions under Section 438 Cr.P.C and by order dated 4/10/2007 in B.A.No.5973/2007, the said accused persons were granted anticipatory bail. I have adverted to facts in detail in the said order. This order must be read in continuation of that order. The alleged complicity of the petitioner is also identical to the petitioners in that case.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner herein can also be granted anticipatory bail subject to identical conditions.

3. In the result, this petition is allowed. Following directions are issued under Section 438 Cr.P.C in favour of the petitioner.

i) Petitioner shall surrender before the learned Magistrate having jurisdiction at 11 a.m on 31/10/2007. He shall be released on regular bail on condition that he executes a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 3 p.m on 01/11/2007 and 02/11/2007 and thereafter on all Mondays and Fridays between 10 a.m and 12 noon for a period of two months and subsequently as and when directed by the investigating officer in writing to do so.

(iii) If the petitioner does not appear before the learned Magistrate as directed in clause (i), directions issued above shall thereafter stand revoked and the police shall be at liberty to arrest the petitioner and deal with him in accordance with law, as if these directions were not issued at all.

(iv) If he were arrested prior to 31/10/2007, he shall be released from custody on his executing a bond for Rs.25,000/- (Rupees twenty five thousand only) without any sureties, undertaking to appear before the learned Magistrate on 31/10/2007.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007